

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Telephone Number Portability) CC Docket 95-116
) RM 8535

Comments of General Communication, Inc.

General Communication, Inc. (GCI) hereby submits comments in the above captioned proceeding.¹ As outlined below, GCI supports implementation of service provider number portability in all areas of the country. The Commission must assume a leadership role in developing a national number portability policy. Service provider number portability will benefit consumers, competitors and incumbent carriers alike.

**Service Provider Number Portability Must
Be Implemented As Soon As Possible Throughout the Country**

The Commission must give its highest priority to the development and deployment of service provider number portability. Service provider number portability allows a customer to keep the same telephone number when changing from one carrier to another. This is vitally important if competition is to develop and succeed at the local level.

The benefits of service provider number portability will be similar to the benefits achieved through 800 number portability. Number portability for 800 services increased competition among

¹Telephone Number Portability, CC Docket 95-116, FCC 95-284 (released July 13, 1995).

providers, while customers received the benefits of this competition through lower prices and better service. Through increased competition in the 800 market because of 800 number portability, new service offerings have been created that previously did not exist. For example, personal 800 numbers and call home 800 numbers are subscribed to by many customers today. Prior to the implementation of true competition through number portability, these types of services were never offered. Customers are now in control of their telephone number and can switch back and forth between and among carriers to receive the best price and best service. These benefits can be attained if service provider number portability is mandated.

This mandate must be national in scope. Implementation throughout the country does not necessarily have to occur at the exact same time. However, independent incumbent local exchange carriers (LECs) cannot be ignored in this process. The Commission must not allow the LECs to bind customers to incumbent carriers anywhere in the country. The benefits of competition can be achieved throughout the country. In implementing 800 number portability, the Commission recognized that the benefits could only be achieved if all carriers throughout the country were mandated to implement the system. 800 numbers are portable all over the country, not just in New York or Chicago. All LECs, including the smallest LECs in the country, have implemented the system and are capable of querying the 800 database so that the call can be directed to the proper carrier. Any system that is

developed to implement number portability in one location of the country can be used in other locations in the country.

Currently, the incumbent LEC has no incentive to implement local number portability. The Commission, working with state commissions,² must force the LECs to implement the system. The Commission should set out a timetable to ensure that number portability is achieved as quickly as possible. For independent LECs, the Commission should mandate that the incumbent LEC be required to implement number portability within 2 years of a bona fide request. This system will ensure that LECs who do not have competitors requesting number portability will not have to implement number portability. Portability would only be required to be implemented after a bona fide request.³

Any architecture adopted should ensure that all carriers have equal access and ability to originate and terminate the call. Any architecture that requires the incumbent LEC to handle all of the calls or imposes an uneconomic bottleneck would frustrate competition and increase the costs for all providers.

Interim Solutions

The Commission should work toward a permanent solution to

²The Commission should not do anything in this proceeding to halt forward looking state commissions that are mandating and implementing number portability in their states.

³This is similar to the system established for independent LECs by the Commission in implementing equal access. The independent LECs were given 3 years from the date of a request by an IXC to implement equal access. If the LEC was unable to comply in the required period, the LEC could request a waiver or extension.

the number portability problem. The long term solution must minimize the use of scarce number resources. LECs are now offering interim solutions including Remote Call Forwarding (RCF) and Direct Inward Dial (DID). These solutions allow customers to change service providers without the appearance of having to change their telephone numbers. These solutions fail to meet the goals of a long term solution. They have severe drawbacks including poor transmission quality, increase costs to the competitive carriers, and involvement of the incumbent LEC in processing all calls.⁴ Under these interim solutions, the incumbent LEC receives access charges from interexchange carriers, even when the call does not go to the incumbent LECs customer. There are also a multitude of operational problems associated with these solutions.

If an interim solution is needed, then the new entrant should pay less for that functionality.⁵ This is similar to the pre-equal access environment in the long distance market. Prior to Feature Group D being available, the customers of AT&T's competitors had to dial additional digits to reach their carrier of choice. Feature Group A and B access was priced below the superior access received by AT&T (Feature Group C) for this reason. If an interim solution is adopted, the price should be

⁴They also involve the inefficient use of the switch, particularly those of smaller carriers.

⁵Also, if the incumbent LEC is unable to comply with true number portability, the competing carrier should have the option of an interim solution until that carrier implements true number portability.

below that paid by the incumbent.⁶

Third Party Administrator

The administration associated with number portability must be performed by a neutral third party. Any permanent number portability solution will require administration of databases that contain the necessary information to provide number portability. Access to the databases by all carriers must be allowed. Therefore, the database must be administered on a competitively neutral basis. Oversight will be required by the Commission. The costs of the administration must be borne by all carriers that use the database on a per query basis. This will ensure that each carrier is responsible for the costs associated with that carriers inquiries to the database. Carriers must be responsible for updating the database to ensure that accurate information is available. Carriers should also be required to explain number portability to their customers.

Implementation and Operational Costs

All carriers should bear their own costs in implementing number portability. This feature will benefit all customers and carriers alike including the incumbent LEC. There is no distinction between carriers who benefit from number portability and carriers that do not benefit. The incumbent LEC is capable

⁶Alternatively, the cost to the new entrant should be nothing after a certain period of time to encourage deployment of true number portability solutions.

of getting customers back from competing carriers and customers that originally sign up with competing carriers through number portability. This will be a basic network upgrade for the incumbent LEC and competing carriers alike. All carriers must originally design or modify their facilities to comply with the rules of the Commission.⁷

Conclusion

Service provider number portability is crucial to the development of competition throughout the country. The Commission should act quickly to mandate number portability in all areas of the country as outlined above.

Respectfully submitted.

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September 12, 1995

⁷Similarly, SS7 deployment was considered by the Commission to be a general network upgrade, not an upgrade specifically for 800 number portability.

STATEMENT OF VERIFICATION

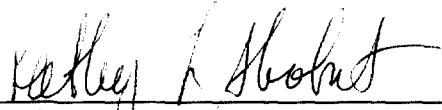
I have read the foregoing, and to the best of my knowledge, information and belief there is good ground to support it, and that it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed September 12, 1995.

A handwritten signature in cursive script, appearing to read "Kathy L. Shobert", written over a horizontal line.

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CERTIFICATE OF SERVICE

I, Kathy L. Shobert, do hereby certify that on this 12th day of September, 1995, a copy of the foregoing was mailed by first class mail, postage prepaid, to the parties listed below.


Kathy L. Shobert

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